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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-713-i21)

RECEIVED

OCT 25 2002

In re Application of:)

Chad A. Mirkin, et al.)

Serial No.: 09/976,618)

Filed: October 12, 2001)

For: NANOPARTICLES HAVING)
OLIGONUCLEOTIDES ATTACHED)
THERETO AND USES THEREFOR)

Examiner: J. Riley

Art Unit: 1637

Confirmation No. 1752

TECH CENTER 1600/2900

Commissioner for Patents and Trademarks
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Prior to examination, please amend the application as shown below.

IN THE CLAIMS:

Please amend the claims and add new claims 433-444 as shown below. A clean copy of the pending claims, after amendment, is attached as Appendix A.

B¹ 253. (Amended) Nanoparticles having oligonucleotides attached to them, the oligonucleotides comprising: (a) at least one type of recognition oligonucleotides, each of the types of recognition oligonucleotides comprising a sequence complementary to at least one portion of the sequence of a nucleic acid or another oligonucleotide; and (b) a type of diluent oligonucleotides.

B² 267. (Amended) A method of detecting a nucleic acid comprising:



10-23-02

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TRANSMITTAL LETTER

Commissioner for Patents and Trademarks
Washington, D.C. 20231

Sir:

- In regard to the above identified application.
1. We are transmitting herewith the attached:
 - a) Preliminary Amendment
 - b) Return Receipt Postcard
 2. With respect to fees:
 - a) No check is attached.
 - b) General Authorization: Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
 3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.10: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee", addressed to the Asst. Commissioner for Patents, Washington, D.C. 20231 on this 22 day of October, 2002 under the Express Mail label No. EL904284735US.

Date: 10-22-02

Respectfully submitted,

Emily Miao
Registration No. 35,285